17 January 2006

Original: English

Preparatory Committee for the United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

New York, 9-20 January 2006

Working paper submitted by Argentina

Recommendations on issues under cluster II, Norms, regulations and administrative procedures

Identification of additional measures to strengthen and/or clarify the commitments already assumed in the Programme of Action (e.g., the adoption of new documents on best practices for inclusion in the Programme of Action at the upcoming biennial meetings or the second Review Conference)

1. Although the ideal situation would be the adoption of annexes to be incorporated into the Programme of Action during the first Review Conference, realistically speaking, at least a commitment could be made to launch a process for the preparation of documents that could be incorporated into the upcoming biennial meetings of the States to consider the implementation of the Programme of Action.

2. These new documents would not necessarily expressly require adherence by all Member States since they could be used as action guides, as in the case of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials with Inter-American Drug Abuse Control Commission model regulations.

3. The following issues were identified:

(a) Best practices for regulating production (sect. II, para. 2);

(b) Best practices for regulating control of transfers (granting of licences, types of licences, standard model of end-user certificates or exchange of information on used certificates, end-user verification, common customs control standards,

cooperation between States for information exchange and controls on transit and trans-shipment, among other things) (ibid., paras. 2 and 11);

(c) Common global principles applicable to the assessment of export applications that reflect their compatibility with relevant international law, taking into account the risks of diverting them to an illicit market (ibid., para. 11);

(d) Best practices for regulating control over intermediation (sect. III, para. 3), taking into account the conclusions of the Group of Government Experts summoned to study the question;

(e) Common formats for information exchange on production, illicit trade and criminal groups (sect. II, paras. 6 and 37);

(f) Best practices on the question of munitions in accordance with global (Protocol III) and regional provisions addressing the question (Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials) and taking into account the recommendation of the Chairman of the Open-Ended Working Group to Negotiate an International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons (para. 27), as well as the consolidation of recommendations contained in the report of the Secretary-General on destruction methods (S/2000/1092, para. 19).

Agree on the identification of topics absent in the Programme of Action and make a decision on the launch of a process towards their inclusion in the framework of future meetings (e.g., the second Review Conference)

(a) Prohibition on authorizing transfers for non-State actors;

(b) Regulation of civil possession of firearms.